

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#30/YW

In re.application of:

Kyoji YAMAGUCHI *et al.*

Application No.: 09/202,455

371 Filing Date: December 15, 1998

For: **Novel Protein and Method for
Producing the Protein**



Art Unit: 1647

Examiner: F. Hamud

Atty. Docket: 16991.011

Confirmation No.: 2918

RECEIVED
JAN 21 2003
TECH CENTER 1600/2900

**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed July 15, 2002, that resulted in Applicants having claims that have been twice or finally rejected.

Applicants request that the fee of \$320.00 for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)) be charged to Deposit Account No. 50-2387 referencing docket number 16991.011. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for in the papers accompanying this Notice are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 50-2387 referencing docket number 16991.011. A duplicate copy of this Notice is attached.

01/16/2003 HGBREH1 00000089 502387 09202455

01 FC:1401 320.00 CH

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)
Andrew S. Brenc (Reg. No. 45,534)

Date: January 15, 2003

ARNOLD & PORTER
555 Twelfth Street, N.W.
Washington, D.C. 20004-1206
Telephone (202) 942-5000
Facsimile (202) 942-5999